United Nations S/AC.50/2007/83

# Security Council

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**Security Council Committee established pursuant to resolution 1737 (2006)**

## Note verbale dated 23 May 2007 from the Permanent Mission of Sweden to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Sweden to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006) and has the honour to submit the Swedish national report on the implementation of resolution 1747 (2007) (see annex).

07-37859 (E) 270607

## Annex to the note verbale dated 23 May 2007 from the Permanent Mission of Sweden to the United Nations addressed to the Chairman of the Committee

## National report by Sweden to the Security Council Committee established pursuant to resolution 1737 (2006)

Pursuant to paragraph 8 of Security Council resolution 1747 (2007), Sweden submits to the Security Council the following information concerning the steps taken by the European Union (EU) and Sweden with a view to implementing effectively the provisions of the said resolution.

In its letter dated 21 February 2007 the Presidency of the Council of the European Union submitted to the Security Council information on the steps taken by the EU with a view to implementing effectively the provisions of Security Council resolution 1737 (2006), and indicated that further information would follow after formal adoption of the relevant legal instruments by the EU. As the Security Council, on 24 March 2007, adopted Security Council resolution 1747 (2007), which, in its paragraph 8, also calls for a report on its implementation, the following information highlights, in chronological order, the (further) steps taken by the EU with a view to implementing the provisions of both Security Council resolutions 1737 (2006) and 1747 (2007).

Common Position 2007/140/CFSP concerning restrictive measures against Iran, which the Council of the European Union endorsed on 12 February 2007, entered into force on 27 February 2007. Council Regulation 423/2007, which implements this Common Position in the field of exclusive EC jurisdiction, went into effect on 20 April 2007. Following up Security Council resolution 1747 (2007), the Council of the European Union adopted, on 23 April 2007, Common Position 2007/246/CFSP amending Common Position 2007/140/CFSP concerning restrictive measures against Iran. Common Position 2007/246/CFSP imposes a full arms embargo on Iran covering all arms and related materiel, prohibits the procurement of arms and related material from Iran, updates the lists of persons and entities whose travel is being restricted and whose assets are being frozen, and stipulates that EU Member States shall not enter into new commitments for grants, financial assistance and concessional loans to the Government of Iran, including through their participation in international financial institutions, except for humanitarian and development purposes. Commission Regulation 441/2007, which entered into force on 21 April, amended Council Regulation 423/2007 by including the persons and entities whose assets are to be frozen according to Security Council resolution 1747 (2007) in the annex of Council Regulation 423/2007.

Preparations are also under way to adopt without delay a further Council Regulation. The text was finalized at the working level and will be adopted by the Council as soon as the draft has been translated into all official languages.

On the national level, the Swedish Government has reviewed what steps and adjustments to the existing practice of the concerned authorities need to be undertaken as a result of the resolution and the EC regulation. The Government maintains a close dialogue with those national authorities, whose area of responsibility corresponds to the restrictive measures of the resolution and the regulation. These include the authorities in charge of national export controls, the

financial system and institutions, immigration, education and research. The objective is that all relevant authorities should be fully aware of the requirements and make the necessary adjustment in order to be able to enforce the new regulations. At the same time, work is undertaken in order to determine whether, or to what extent and in which ways, certain national regulations need to be amended. If this is found to be the case, the Government will undertake those changes on an urgent basis. A case in point is the prohibition of procurement of arms and related material from Iran, contained in operative paragraph 5 of resolution 1747, which requires a new Swedish regulation. The process of adopting the necessary regulation is under way.

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**Security Council Committee established pursuant to resolution 1737 (2006)**

## Note verbale dated 24 May 2007 from the Permanent Mission of France to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of France to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006) and has the honour to transmit to him herewith France's report submitted in accordance with paragraph 8 of resolution 1747 (2007) (see annex).

07-37853 (E) 270607 280607

## Annex to the note verbale dated 24 May 2007 from the Permanent Mission of France to the United Nations addressed to the Chairman of the Committee

In paragraph 8 of Security Council resolution 1747 (2007), of 24 March 2007, the Security Council "calls upon all States to report to the Committee within 60 days of the adoption of this resolution on the steps they have taken with a view to implementing effectively paragraphs 2, 4, 5, 6 and 7 above".

In accordance with those provisions, France would like to bring to the attention of the Security Council Committee established pursuant to resolution 1737 (2006) the following points involving measures taken for the full implementation of the said text.

The application of the resolution by the States members of the European Union gives rise, in respect of certain provisions, to European measures (common position and Community regulation), and, in respect of other provisions, to national measures.

1. The information pertaining to European measures will be included in the report to be submitted to the Committee by the European Union. Those measures cover all the paragraphs of resolution 1747 (2007) that are to be dealt with in the report (paragraphs 2, 4, 5, 6 and 7).

2. Additional national measures

France would like also to bring to the attention of the Committee the following points, which relate to additional measures that are national in nature:

- On 6 April 2007 the Prime Minister adopted, on the proposal of the Minister of Economic Affairs, Finance and Industry, Decree No. 2007-523 governing financial relations with the persons and entities listed in resolution 1747 (2007). Under the Decree, the following require the prior authorization of the Minister in Charge of Economic Affairs:
  - Foreign-exchange transactions, capital flows and payments of any nature between France and foreign countries effected for the account of the natural and artificial persons referred to in resolution 1747 (2007) or controlled thereby;
  - Constitution and liquidation of investments in France by and for, or controlled by, the natural and legal persons mentioned in resolution 1747 (2007).
- On 16 May 2007 a "notice to the importers and exporters of certain goods originating in or destined for Iran" was disseminated in the official gazette of the French Republic, "drawing the attention of French importers and exporters to the publication of Council regulation (EC) 423/2007 of 19 April 2007, as amended, concerning the adoption of certain restrictive measures against Iran, and specifying in particular the administrative procedures provided for the implementation of the new prior authorizations required under article 3, paragraph 1, of regulation (EC) 423/2007, itself enacted under operative paragraph 4 of resolution 1737 (2006)".

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# Security Council

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**Security Council Committee established pursuant to resolution 1737 (2006)**

## Note verbale dated 24 May 2007 from the Permanent Mission of Denmark to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Denmark to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006), and has the honour to attach its report pursuant to resolution 1747 (2007) on the steps taken by the Government of Denmark to implement paragraph 8 of the above-mentioned resolution (see annex).

07-37847 (E) 030707

## Annex to the note verbale dated 24 May 2007 from the Permanent Mission of Denmark to the United Nations addressed to the Chairman of the Committee

Denmark has the honour of informing the Security Council of the following steps taken with a view to implementing the provisions of paragraphs 2, 4, 5, 6 and 7 of Security Council resolution 1747 of 24 March 2007:

The restrictions on admission of the individuals specified in paragraph 2 of the resolution as well as its annex I and of additional persons designated by the Security Council or the Committee will be implemented in accordance with existing legislation, i.e. the Danish Alien Act and EC regulation 539/2001 with subsequent amendments, according to which Iranian citizens must be in possession of a visa when crossing the external borders of the European Union.

Concerning paragraph 4 regarding the freezing of funds, other financial assets and economic resources, which specifies that the measures in paragraphs 12, 13, 14 and 15 of resolution 1737 (2006) shall also be applied to the persons and entities listed in annex 1 to that resolution, Denmark recalls that on 27 February 2007 the Council of the European Union approved Common Position 2007/140 regarding Security Council resolution 1737 on Iran. On 19 April 2007, the European Union took the necessary urgent measures of implementing in the field of exclusive jurisdiction of the European Union the Common Position by adopting Council Regulation 423/2007.

In order to take account of resolution 1747, the European Union on 23 April 2007 adopted Common Position 2007/246 amending Common Position 2007/140, providing the necessary legal basis for applying the restrictive measures to the persons and entities listed in the annex of that resolution.

Regarding paragraphs 5 and 6 on restrictions on the sale of arms to Iran, the Danish Government would like to inform on the following steps taken:

According to section 6 of the Danish Weapons Act, it is prohibited, without a specific license from the Minister of Justice, to export weapons of any kind and defence-related material etc. Section 6 applies to any situation where items are transferred from Denmark to a third country no matter whether the transfer takes place in relation to export, transit, trans-shipment or re-export. Export licenses will not be issued to countries in violation of Security Council resolution 1747.

According to section 7 b of the Danish Weapons Act, it is likewise prohibited, without a specific license from the Minister of Justice, as a broker to negotiate or arrange transactions that involve the transfer of weapons etc., as defined in section 6, between countries outside the EU. Furthermore, it is prohibited to buy or sell weapons etc., as defined in section 6, as part of a transfer between countries outside the EU, or, as the owner of the weapons et., as defined in section 6, as part of a transfer between countries outside the EU, or, as the owner of the weapons etc., to arrange such a transfer. Concerning brokering between another EU member State and Iran, Denmark is in the process of taking additional national measures in order to explicitly include such an act as punishable as a criminal offence.

Furthermore, according to section 7 a of the Danish Weapons Act, it is prohibited to transport weapons of any kind and defence-related material etc. between third countries (i.e. other countries than Denmark), when the recipient

country is listed in the Government Order on Transportation of Weapons etc. between Third Countries. The list includes all countries that are under a United Nations, EU, or OSCE arms embargo. A revised Order adding Iran to the list took effect on 2 May 2007.

Violation of the above-mentioned rules is a criminal offence punishable by fine or imprisonment, cf. Danish Weapons Act Section 10 and, in aggravating circumstances, section 192 (a) of the Danish Criminal Code.

Regarding paragraph 6, on the prohibition of any technical assistance or training, financial assistance, investment, and the transfer of financial resources or services, related to the supply, sale, transfer, manufacture or use of such item, as noted above Common Position 2007/246 was approved on 23 April 2007 to take into account resolution 1747. In line with this resolution, the amendment provides, inter alia, for the application of an embargo on the export of arms and related material to Iran and on the provision of related technical and financial assistance, financing, investment and brokering services, as well as a ban on the import of arms and related materiel from Iran.

Preparations are under way to adopt without delay a Council Regulation with the purpose of aligning Council Regulation 423/2007 to amended Common Position 2007/140. The text has been finalized at working level and will be adopted by the Council as soon as the draft has been translated into all official languages of the European Union. Further information will be provided to the Security Council, once the Council Regulation has formally been adopted.

Regarding paragraph 7, Common Position 2007/246 stipulates that EU member States shall not enter into new commitments for grants, financial assistance and concessional loans to the Government of Iran, including through their participation in international financial institutions, except for humanitarian and development purposes.

As mentioned above, preparations are under way to adopt without delay a Council Regulation with the purpose of aligning Council Regulation 423/2007 to amended Common Position 2007/140.

Please note that under general European law principles, a Council Regulation is directly applicable in Denmark without the need for domestic implementing legislation. Nevertheless, Denmark will carefully consider whether there is a need to take additional measures nationally.

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# Security Council

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**Security Council Committee established pursuant to resolution 1737 (2006)**

## Note verbale dated 24 May 2007 from the Permanent Mission of Peru to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Peru to the United Nations presents its compliments to the Security Council Committee established pursuant to resolution 1737 (2006) and, in compliance with paragraph 8 of Security Council resolution 1747 (2007), has the honour to transmit herewith information on action taken by the Government of Peru in implementation of this resolution (see annex).

07-37841 (E) 030707 030707

## Annex to the note verbale dated 24 May 2007 from the Permanent Mission of Peru to the United Nations addressed to the Chairman of the Committee

1. In ministerial order No. 0384/RE of 3 April 2007, the Ministry of Foreign Affairs approved and promulgated, for information and due observance, the full text of Security Council resolution 1747 (2007). The ministerial order also sets out a list of the institutions that are required to implement the resolution; additions to the list will be made, as appropriate. The resolution is posted on the Ministry's website.

2. All national sectors, including the Ministry of Defence, the Superintendency of Banks, Insurance and Pension Fund Administrators, the Peruvian Nuclear Energy Institute, the Ministry of the Interior, the Superintendency of Tax Administration, the Ministry for Economic and Financial Affairs and the judiciary, have been requested to promptly and fully implement Security Council resolutions 1747 (2007) and 1737 (2006).

3. With regard to the implementation of paragraphs 4, 6 and 7 of Security Council resolution 1747 (2007), the Superintendency of Banks, Insurance and Pension Fund Administrators has requested all Peruvian financial institutions to submit to it any information on financial assistance or loans requested by entities and persons listed in the annex to resolutions 1737 (2006) and 1747 (2007) and on the opening or activity of accounts belonging to said entities and persons.

4. When reviewing visa applications, the consulates of Peru are required to check the information contained in the annexes to resolutions 1737 (2006) and 1747 (2007). It should be noted that Iranian citizens require a visa to enter Peru.

5. To date, no transactions or activities related to the measures set out in resolutions 1737 (2006) and 1747 (2007) have been identified.

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# Security Council

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## Security Council Committee established pursuant to resolution 1737 (2006)

### Note verbale dated 24 May 2007 from the Permanent Mission of Qatar to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the State of Qatar to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006), concerning the Islamic Republic of Iran, and has the honour to refer to Security Council resolution 1747 (2007).

The Permanent Mission of the State of Qatar to the United Nations has the honour to inform the Committee that the Government of the State of Qatar has complied with the requirements of the resolution by informing the concerned authorities of the State of Qatar, i.e. the Ministry of Defence, the Ministry of the Interior, the Ministry of Economy and Trade, the Ministry of Finance, the General Authority of Customs and Ports, the Qatar Central Bank, the General Authority of Civil Aviation and the Qatar Authority of Charitable Works, of the measures required for the implementation of the resolution, in particular paragraphs 2, 4, 5, 6 and 7 thereof.

07-37835 (E) 260607

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Security Council

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6 June 2007

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**Security Council Committee established pursuant to resolution 1737 (2006)**

## Letter dated 24 May 2007 from the Permanent Representative of the United States of America to the United Nations addressed to the Chairman of the Committee

The United States Mission has the honour to attach its report pursuant to paragraph 8 of Security Council resolution 1747 (2007) on the steps taken by the Government of the United States to implement paragraphs 2, 4, 5, 6 and 7 of the above-mentioned resolution (see annex).

(*Signed*) Zalmay **Khalilzad**

07-37829 (E) 260607

## Annex to the letter dated 24 May 2007 from the Permanent Representative of the United States of America to the United Nations addressed to the Chairman of the Committee

The United States believes it is essential that Member States fully and effectively implement their obligations under Security Council resolution 1747 (2007). To promote that objective, although not required by Security Council resolution 1747, the United States hereby submits this report on the range of measures it is taking to implement Security Council resolution 1747 and encourages other States to do the same. This includes application of further trade and assistance restrictions, where appropriate, and working with other States to prevent trade prohibited by the resolution.

Following the structure of Security Council resolution 1747, listed below are United States actions to date to implement the resolution:

Paragraph 2: *Calls upon all States also to exercise vigilance and restraint regarding the entry into or transit through their territories of individuals who are engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, and decides in this regard that all States shall notify the Committee established pursuant to paragraph 18 of resolution 1737 (2006) (herein "the Committee") of the entry into or transit through their territories of the persons designated in the Annex to resolution 1737 (2006) or Annex 1 to this resolution, as well as of additional persons designated by the Security Council or the Committee as being engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, including through the involvement in procurement of the prohibited items, goods, equipment, materials and technology specified by and under the measures in paragraphs 3 and 4 of resolution 1737 (2006), except where such travel is for activities directly related to the items in subparagraphs 3 (b) (i) and (ii) of that resolution;*

The United States Department of State's targeted visa review process under the Immigration and Nationality Act focuses on individuals reasonably believed to be seeking entry into the United States to engage in an activity to violate or evade United States export control laws. Under these provisions, any visa requests by relevant individuals designated in accordance with resolutions 1737 or 1747 for travel to or through the United States may be denied. Because such persons may not be permitted to enter into or transit through the United States, we do not anticipate that notifications to the sanctions Committee will be required.

Paragraph 4: *Decides that the measures specified in paragraphs 12, 13, 14 and 15 of resolution 1737 (2006) shall apply also to the persons and entities listed in Annex 1 to this resolution;*

Executive Order 13382 (2005) allows the United States to block or "freeze" the property and interests in property within the United States, or in the possession or control of United States persons, of weapons of mass destruction proliferators and their supporters. Persons that are designated under the Order are denied access to the United States financial and commercial systems, and United States persons, wherever located, are prohibited from engaging in transactions with them. This

national authority allows the United States to implement effectively the provisions set forth in operative paragraph 4 of resolution 1747.

Pursuant to Executive Order 13382, the United States Government has designated 14 Iranian entities for their involvement in Iranian nuclear or missile activities. Six of those designated entities (Kavoshyar Company, Novin Energy Company, Bank Sepah, Bank Sepah International, Sanam Industrial Group, and Ya Mahdi Industries Group) were listed in annex I to Security Council resolution 1747. The United States Government has also designated Ahmad Derakshandeh, Chairman and Managing Director of Bank Sepah, who was also listed in annex I to Security Council resolution 1747. As indicated in our previous report on United States implementation of annex I to Security Council resolution 1737, six other designated entities were designated by the United States Government under Executive Order 13382. Atomic Energy Organization of Iran (AEOI), Shahid Bakeri Industrial Group (SBIG), Shahid Hemmat Industrial Group (SHIG), Mesbah Energy Company, Kalaye Electric Company, and Defense Industries Organization (DIO) were listed in the annex to Security Council resolution 1737. As indicated above, the United States designation of these entities and individuals effectively blocks, or "freezes", their assets within the United States or in the possession or control of United States persons and prohibits United States persons from engaging in transactions with these entities. The United States will continue to take measures to fully implement its obligations under the resolution. Work to designate the remaining individuals and entities listed in the annexes to Security Council resolutions 1737 and 1747 is continuing.

Paragraph 5: *Decides that Iran shall not supply, sell or transfer directly or indirectly from its territory or by its nationals or using its flag vessels or aircraft any arms or related materiel, and that all States shall prohibit the procurement of such items from Iran by their nationals, or using their flag vessels or aircraft, and whether or not originating in the territory of Iran;*

Items of Iranian origin covered in this paragraph may not be imported into the United States or acquired by United States persons either directly or through third countries, without prior authorization of the United States Government (Directorate of Defense Trade Controls of the United States Department of State, Office of Foreign Assets Control of the United States Department of the Treasury, and/or the Bureau of Alcohol, Firearms, Tobacco and Explosives of the United States Department of Justice). The United States ban on Iranian-origin imports is maintained pursuant to Executive Orders issued under the authority of the International Emergencies Economic Powers Act (IEEPA). In addition, under United States sanctions law, including the Iran, North Korea and Syria Non-proliferation Act (INKSNA), "credible information indicating" a transfer of items covered under the multilateral control regimes either to or from Iran, North Korea, or Syria could trigger a report to Congress and a decision to impose United States sanctions.

Paragraph 6: *Calls upon all States to exercise vigilance and restraint in the supply, sale or transfer directly or indirectly from their territories or by their nationals or using their flag vessels or aircraft of any battle tanks, armored combat vehicles, large caliber artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems as defined for the purpose of the United Nations Register on Conventional Arms to Iran, and in the provision to Iran of any technical assistance or training, financial assistance, investment, brokering or other*

*services, and the transfer of financial resources or services, related to the supply, sale, transfer, manufacture or use of such items in order to prevent a destabilizing accumulation of arms;*

The United States does not permit the export to Iran of any items that could contribute to Iran's conventional weapons stockpile. United States law prohibits the United States Government from providing directly or indirectly to Iran the items identified in paragraph 6 of Security Council resolution 1747. Moreover, United States law prohibits United States persons from exporting to Iran such items. The United States has a long-standing country sanctions programme against Iran. These commercial and financial sanctions, which are administered by the Treasury's Office of Foreign Assets Control (OFAC), prohibit United States persons from engaging in a wide variety of trade and financial transactions with Iran or the Government of Iran. This includes a prohibition on United States persons from the exportation, re-exportation, sale, or supply, directly or indirectly, of any goods, technology, or services to Iran or the Government of Iran.

Paragraph 7: *Calls upon all States and international financial institutions not to enter into new commitments for grants, financial assistance, and concessional loans, to the Government of the Islamic Republic of Iran, except for humanitarian and developmental purposes;*

The United States has provided no such financing to Iran for nearly three decades; such financing has been prohibited by United States law. We are continuing efforts to reach agreement with other governments on a common position with respect to reducing official financing to the Government of Iran in both bilateral and multilateral channels.

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# Security Council

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**Security Council Committee established pursuant to resolution 1737 (2006)**

## Note verbale dated 24 May 2007 from the Permanent Mission of Cuba to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Cuba to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006) and has the honour to enclose herewith the report prepared by the Ministry of Foreign Affairs of the Republic of Cuba on the measures adopted by the Government of Cuba to implement the provisions contained in resolution 1747 (2007) (see annex).

07-37823 (E) 260607 030707

## Annex to the note verbale dated 24 May 2007 from the Permanent Mission of Cuba to the United Nations addressed to the Chairman of the Committee

The Ministry of Foreign Affairs of the Republic of Cuba has the honour to report, in reference to Security Council resolution 1747 (2007), that the relations of the Republic of Cuba with the Islamic Republic of Iran are in compliance with the provisions of the said resolution.

The Government of the Republic of Cuba has circulated instructions to all the central institutions of the State, pursuant to article 98 of the Constitution of the Republic of Cuba, to ensure the strict application of the provisions of Security Council resolution 1747 (2007).

Immediately after the adoption of resolution 1737 (2006), the Government of the Republic of Cuba established a national mechanism for monitoring compliance with the provisions of that resolution, the scope of which was extended to include the application of resolution 1747 (2007).

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**Security Council Committee established pursuant to resolution 1737 (2006)**

## Note verbale dated 24 May 2007 from the Permanent Mission of Lithuania to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Republic of Lithuania to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006) and has the honour to submit the national report of the Republic of Lithuania on the implementation of the provisions of Security Council resolution 1747 (2007) (see annex).

07-37817 (E) 030707

## Annex to the note verbale dated 24 May 2007 from the Permanent Mission of Lithuania to the United Nations addressed to the Chairman of the Committee

## Report to the Security Council Committee established pursuant to resolution 1737 (2006) on the steps taken by the Government of the Republic of Lithuania to implement the provisions of Security Council resolution 1747 (2007)

Pursuant to paragraph 8 of Security Council resolution 1747 (2007), Lithuania hereby submits to the Committee the following information concerning the steps taken by the European Union and nationally by Lithuania with a view to implementing effectively the provisions of the above-mentioned resolution.

As a member of the European Union, the Republic of Lithuania implements United Nations sanctions via European Union Common Positions and European Community Regulations. The European Community Regulations are binding and directly applicable in Lithuania.

On 20 April 2007, the Council of the European Union adopted Regulation (EC) No. 423/2007, imposing an export embargo on items, materials and technologies related to Iran's nuclear and ballistic missile programmes, as well as freezing the funds and economic resources of targeted persons. On 23 April 2007, the Council of the European Union adopted Common Position 2007/246/CFSP, imposing an embargo on arms and related material to the Islamic Republic of Iran, as well as restrictions of admission of listed persons.

Following the adoption of resolutions 1737 (2006) and 1747 (2007), competent Lithuanian authorities have been immediately informed about restrictive measures imposed by the Security Council in order to exercise appropriate vigilance towards the Islamic Republic of Iran. The information on imposed sanctions is on the website of the Ministry of Foreign Affairs of the Republic of Lithuania.

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Security Council

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**Security Council Committee established pursuant to resolution 1737 (2006)**

## Letter dated 24 May 2007 from the Permanent Representative of Latvia to the United Nations addressed to the Chairman of the Committee

Referring to your letter of 20 April 2007 asking that a report be submitted on the steps taken with a view to implementing effectively Security Council resolutions 1737 (2006) and 1747 (2007) on Iran, the Permanent Mission of the Republic of Latvia to the United Nations has the honour to convey to the Committee the following (see annex).

(*Signed*) Solveiga **Silkalna**
Ambassador
Permanent Representative of Latvia to the United Nations

07-37811 (E) 030707

## Annex to the letter dated 24 May 2007 from the Permanent Representative of Latvia to the United Nations addressed to the Chairman of the Committee

As a member of the European Union, the Republic of Latvia implements United Nations sanctions within the framework of the Common Foreign and Security Policy (CFSP) by virtue of EU Common Positions and EC Regulations. EC Regulations are binding in their entirety and directly applicable within all member States of the EU and, accordingly, impose an obligation for member States to apply them. EC Regulations in combination with Common Positions create the legal basis for full implementation of sanctions imposed by Security Council resolutions.

On 27 February 2007 the Council of the European Union adopted Council Common Position 2007/140/CFSP concerning restrictive measures against Iran. In line with Security Council resolution 1737 (2006), Common Position 2007/140/CFSP provides for certain restrictive measures against Iran. The said Common Position implements Security Council resolution 1737 (2006) by including restrictions on exports and imports of goods and technology which could contribute to Iran's enrichment-related, reprocessing, or heavy water-related activities, or to the development of nuclear weapon delivery systems, a ban on the provision of related services, a ban on investment related to such goods and technology, and a ban on procurement of relevant goods and technology from Iran, as well as the freezing of funds and economic resources of persons, entities and bodies engaged in, directly associated with or providing support for such activities or development. As these measures fall within the scope of the Treaty, establishing the European Community and Community legislation is necessary for uniform application of the said restrictive measures, Council Regulation (EC) No. 432/2007 was adopted on 19 April 2007.

Furthermore, a Council Common Position 2007/246/CFSP was adopted on 23 April 2007 amending Common Position 2007/140/CFSP, referred to above, in accordance with Security Council resolution 1747 (2007). Namely, prohibiting procurement of arms and related materiel from Iran, prohibiting the supply, sale or transfer to Iran of all arms and related materiel, as well as the provision of related assistance, investment and services, extending financial and travel sanctions imposed by Security Council resolution 1737 (2006) to additional persons and entities engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, as well as refraining from entering into new commitments for grants, financial assistance and concessional loans to the Government of Iran, except for humanitarian and developmental purposes. Moreover, additional persons and entities have been listed in the Annex II of Council Common Position 2007/140/CFSP.

In addition, the member States of the European Union must determine proportionate, effective and dissuasive penalties applicable to infringements of the provisions of Council Regulations. Thereby section 84 of the Criminal Law of 17 June 1998 criminalizes the violation of sanctions imposed by international organizations. Namely, for a person who commits intentional violation of regulatory enactments regulating implementation of sanctions determined by the United Nations Security Council, European Union or other international organizations in the Republic of Latvia, the applicable sentence is deprivation of liberty for a term

not exceeding five years or a fine not exceeding one hundred times the minimum monthly wage. For a person who commits the same acts, if commission thereof is repeated, or by a group of persons pursuant to prior agreement, or by a State official, the applicable sentence is deprivation of liberty for a term not exceeding eight years, with or without confiscation of property.